

IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF ARKANSAS  
TEXARKANA DIVISION

VICKI MITCHELL, et al.  
PLAINTIFFS

V.

CASE NO. 07-CV-4052

LIFE INVESTORS COMPANY OF AMERICA, et al.

DEFENDANTS

**ORDER**

Before the Court is Separate Defendant Central United Life Insurance Company's Motion to Dismiss for Lack of Subject Matter Jurisdiction pursuant to Federal Rule of Civil Procedure 12(b)(1). (Doc. 3-1). Plaintiffs have responded. (Doc. 18). The Court finds that this matter is ripe for consideration.

Defendant Central United Life Insurance Company argues and Plaintiffs concede that no diversity of citizenship between the parties exists in this case as required for subject matter jurisdiction under 28 U.S.C. § 1332. Thus, the Court finds that it lacks subject matter jurisdiction in this case. Plaintiffs concede to the dismissal. Accordingly, Defendant's Motion to Dismiss should be and hereby is **GRANTED**. The above-styled matter is hereby **DISMISSED WITHOUT PREJUDICE**.

**IT IS SO ORDERED**, this 6th day of August, 2007.

/s/ Harry F. Barnes  
Hon. Harry F. Barnes  
United States District Judge